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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,759	08/25/2000	Howard W. DeMoore	73310 75053	3933

30652 7590 04/05/2004

CONLEY ROSE, P.C.
5700 GRANITE PARKWAY, SUITE 330
PLANO, TX 75024

EXAMINER	
NGUYEN, CAMTU TRAN	

ART UNIT	PAPER NUMBER
3743	

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/645,759	DEMOORE, HOWARD W.	
	Examiner	Art Unit	
	Camtu T. Nguyen	3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is in response to applicant's amendment filed on March 11, 2004. Claims 18-51 are pending. Applicant's arguments have been fully considered but they are not persuasive.

Epps teaches an in-line printing press having a plurality of laterally spaced printing units (12) having drying units (30) interposed between the printing units (12), each of the drying units (30) includes a plurality of infrared heating/drying elements (34) and the infrared heating/drying elements (34) may comprise of infrared lamps. With regards to the infrared lamps spaced across the width of the traveling path, it would have obvious to one skilled in the art to position the infrared lamps in such arrangement for the purpose of distributing heat evenly on the sheet in order to ensure uniform drying across width of the sheet.

Epps teaches temperature sensor (60) arranged in the printing press (10) so as to monitor the temperature of the transfer plate (50) in the area of the infrared dryer units (30). To this end, the temperature of the transfer plate (50) is the indicative temperature in the area of the infrared dryer units which is also the temperature corresponding to the heated area of substrate/sheet passing under the heating zones when the press is printing. There is no where in the claims where applicant claims the sensors is for measuring the temperature of the surface of the printed sheet.

With regards to independent claims 45 and 50, it appears that applicant did not discuss how the language of the claims patentably distinguishes them from the references applied in the previous Office Action.

The rejections applied in the previous Office Action stand rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 18-23, 25-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epps (U.S. Patent No. 6,125, 759) in view of Rudd (U.S. Patent No. 5,953,833). Epps discloses in Figure 1 an in-line printing press (10) having a plurality of laterally spaced printing units (12) a liquid printing substance such as ink is applied to sheets or substrates (14) and a plurality of infrared heating/drying units (30) are interposed between the printing units (12) for transmitting infrared radiation to the moving printed sheets (14). Figure 1 further discloses the dryer units (30) comprising cabinet (32), which supports infrared elements (34), which include series of infrared lamps. The cabinet (32) includes at least one exhaust port (36) which is coupled to and communicates with exhaust or suction blower (38), as shown in Figure 1. A continuous supply of make-up air is from supply blower (40) which is directed into the interior of the cabinet (32). Figure 1 and 2 disclose a temperature sensor (60) specifically arranged in the printing press (10) so as to monitor the temperature of the transfer plate (50) in the area of each of

the infrared dryer units (30). However, Epps also teaches one of skilled in the art would appreciate the temperature sensor (60) can be located in any location so long it is capable of monitoring the temperature in the vicinity of the infrared dryer (30). Epps further discloses a controller (68) but does not teach the controller (68) being operable to adjust the output of the heating area in response to the signals generated by the sensors (column 2 lines 43-67, column 3 lines 1-13, column 4 lines 3-35). Rudd discloses in Figure 1 a dryer system (10) for drying a coating applied to substrate (12) or a continuous web moving within the dryer system (10) comprising a conventional controller (31) unit that includes both the power controls and process controls. The controller (31) is electrically coupled to temperatures sensors (30) and the controller (31) uses the sensed temperature of roll (32) sensed by temperature sensors (30) to control energy emitter (24) to vary the energy applied to the substrates, such energy is absorbed by substrate (12) to dry the coatings applied to the substrate (12), see column 5 lines 19-29). Therefore it would have been obvious to one skilled in the art to consider the controller suggested by Rudd for each of Epps's printing units for the purpose of energy saving and as well as safety. With regards to claim 18, the Epps printing press, as modified, would inherently include a power supply, as recited. With regards to claim 20, the Epps reference, as illustrated in Figure 2, teaches the fire extinguishing system (72), which is a pressurized extinguishing agent which discharges via nozzles into the infrared dryer unit (30). As illustrated, the temperature sensor (60) would benefit such pressurized agent for which it would prevent dust from interfering with the operation of the sensors. With regards to claims 22 and 23, the Epps printing press, as illustrated in Figure 5, teaches when the temperature sensor (60) senses a temperature in excess of a predetermined value, it sends a signal to the

control (68), thereby, the Epps reference would inherently include one or more programmable controllers for which it receives the sensor output or readings. The Epps reference, as modified, would inherently capable of carrying out the steps recited in the method claims.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epps (U.S. Patent No. 6,125, 759), as modified above, and further in view of Desaulniers et al (U.S. Patent No. 6,505,557). Epps, as modified above, discloses elements as recited except for the touchscreen. Desaulniers et al discloses a system and a process for controlling temperature of a rotary process such as a printing press comprising a PLC controlled system coupled with a touch screen (column 14 lines 25-48). Therefore it would have been obvious to one skilled in the art to modify the controller of Epps for the PLC controlled system taught by Desaulniers et al as such electronic interface would allow the operator to set the required process temperature for a plurality of press units and also permit the operator to oversee the integrity of the dynamic printing process temperature control system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camtu T. Nguyen whose telephone number is 703-305-0537. The examiner can normally be reached on (M-F) 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry A. Bennett can be reached on 703-308-0101. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Henry Bennett
Supervisory Patent Examiner
Group 3700

Camtu Nguyen
March 30, 2004